IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Marie-Claude Gingras et al.

Application No.: 10/021,509   Art Unit: 1644

Filed: December 7, 2001   Examiner: Felyavskyi, Michail A

For: TREM-1 SPLICE VARIANT FOR USE AND
      MODIFYING IMMUNE RESPONSES

1.132 DECLARATION OF DR. MARIE-CLAUDE GINGRAS

1.   I, Marie-Claude Gingras, do hereby declare and state the following:

2.   I am an assistant professor in the Pediatrics Hema & Oncology at Baylor College of Medicine. I am skilled in the field of immunology and inflammation.

3.   I am one of the inventors, and I have read the above-captioned patent application, as well as all Examiner's Actions and responses.

4.   In the present application, myself and Judith Margolin envisioned that administration of a competitive inhibitor to TREM-1 mediate functions of TREM-1 (See paragraphs [0097]-[0112]). More specifically, we proposed modulating inflammation in septic shock by administering a competitive inhibitor of the ligand for TREM-1 (See paragraphs [0175]–[0178]).

5.   Similar experiments as to the ones we proposed in the present application were preformed by Bouchon et al. We assert that the data presented by Bouchon et al. in Nature 410:1103-1107, 2001 are representative data that would have resulted from our proposed experiments in the present application. Thus, we assert that the experimental outlined in the present invention and provided sufficient guidance for those of skill in the art to perform the claimed invention.

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6. I hereby declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Title 18 § 1001 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

May 27, 2004

Date

Marie-Claude Gingras, Ph.D.

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